

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/15/2024
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWARD P. ADAMS,

Plaintiff,

-against-

CO-OP CITY DEPARTMENT OF PUBLIC
SAFETY, et al.,

Defendants.

21-CV-2675 (DEH) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during today's discovery conference, it is hereby ORDERED that defendants' letter-motion dated May 8, 2024 (Dkt. 233), seeking an order compelling plaintiff to produce additional documents and execute certain releases and authorizations, is GRANTED IN PART, as follows.

1. Plaintiff must execute, notarize, and return to defendants' counsel a HIPAA-compliant medical authorization form permitting counsel to obtain, from Jacobi Medical Center, all of its records regarding plaintiff's treatment at that facility on **March 25, 2018**. **Should plaintiff fail to do so within the time frame set forth below, he will be precluded from seeking any personal injury damages (including pain and suffering) arising out of the March 25, 2018 incident.** Because plaintiff has repeatedly represented that he was treated and released that same day, and "is not claiming any long-term medical injuries from any defendants pertaining to this action" (Dkt. 234 at 3), plaintiff need not authorize the release of any medical records after March 25, 2018.
2. Plaintiff must execute, notarize, and return to defendants' counsel unsealing and other authorization forms sufficient to permit counsel to obtain, from the New York Police Department (NYPD) and relevant New York State courts, all records concerning the arrests and prosecutions at issue in this action. **Should plaintiff fail to do so within the time frame set forth below, he will be precluded from seeking any damages arising out of those arrests and prosecutions, which may lead to the dismissal of this action entirely.**
3. Plaintiff must execute, notarize, and return to defendants' counsel unsealing and other authorization forms sufficient to permit counsel to obtain, from the NYPD and relevant New York State courts, all records concerning plaintiff's other arrests on and after **October 19, 2012**, and the prosecutions stemming from those arrests. **Should plaintiff fail to do so within the time frame set forth below, he will be precluded from**

seeking any damages based or attributable to his alleged loss of standing in the community following the arrests and prosecutions at issue in this action.

4. Plaintiff must execute, notarize, and return to defendants' counsel authorization form(s) sufficient to permit counsel to obtain, from the New York Department of Motor Vehicles (DMV), plaintiff's DMV records on and after **October 19, 2015**. **Should plaintiff fail to do so within the time frame set forth below, he will be precluded from seeking any damages based or attributable to his alleged loss of income from his car service business.** Because plaintiff has represented that he conducted his car service business in cash, and that he has not filed any tax returns for the past ten years, plaintiff need not authorize the release of his tax records.
5. Because plaintiff has represented that he does not seek any damages for any loss of income from his medical research work, he need not authorize the release of his employment or compensation records relating to that work.

Defendants' counsel must send the forms described above to plaintiff, by email, **today**. In order to avoid preclusion sanctions, plaintiff must return them to counsel, signed and notarized, no later than **May 17, 2024**. If for any reason defendants' counsel fails to send the forms today, plaintiff's deadline to return them to counsel, signed and notarized, shall be **48 hours after he receives them by email**.

It is further ORDERED that dispositive motions, if any, must be filed no later than **July 19, 2024**. No later than **July 10, 2024**, after meeting and conferring with plaintiff, defendants must submit a status update letter to the Court confirming that they are in receipt of all records necessary to submit a dispositive motion. If that is not the case, the letter must explain which records are delayed and when defendants will be in a position to file their motion.

Dated: New York, New York
May 15, 2024

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge